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United States District Court  
for the district of Minnesota

SEP 01 2017

CLERK, U.S. DISTRICT COURT  
MINNEAPOLIS, MINNESOTA

The Disciples Road, )  
moving party, ( )  
v. )  
Robert Hiivala, WRIGHT COUNTY AUDITOR ( )  
Mark Dayton, Governor, STATE OF MINNESOTA )  
Joe Haggerty, WRIGHT COUNTY SHERIFF ( )  
defendant's )

Case Number  
17cv4114 DSD/DTS

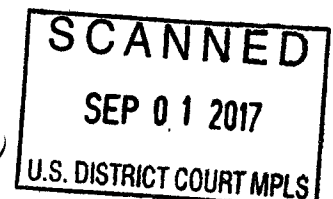
Request For Declaratory  
Judgment, Constitutional  
Challenge To State  
Statutes and Procedures

This document can not be used to create evidence of any form of territorial jurisdiction over the land. The only reason I come to this court is because United State agents are continually trespassing on ministry land and I seek a declaratory judgment that defendant's go back to their own jurisdiction.

**Judicial Notice** - That the court administrator take judicial notice of the following evidences of written law. - Art 1, Sec 8, Par. (17) of the United States Constitution. B) Article 1, 4, 9, and 10 of the bill of rights of the Constitution for the united States. C) The laws of God as found in the Authorized 1611 King James Bible. Exodus Chapter 20: 3, 15, 16, 17, Deuteronomy 19: 16-21, and Matthew 22:37-40.

The land in question has a legal description as follows: That part of the Southeast Quarter of the Northeast Quarter, Section 15, Township 118, Range 28, Wright County, State of Minnesota described as follows: Beginning at the southwest corner of said Southeast Quart of the Northeast Quarter; thence on an assumed bearing of North 01 degree 01 minute 45 seconds East, along the west line of said Southeast Quarter of the Northeast Quarter, a distance of 486.97 feet; thence South 87 degrees 43 minutes 34 seconds East a distance of 238.73 feet; thence South 02 degrees 42 minutes 07 seconds West a distance of 486.87 feet to the south line of said Southeast Quarter of the Northeast Quarter; thence westerly, along said south line, a distance of 224.51 feet to the beginning.

Except therefrom the West 2 rods of the South 5 rods of the Southeast Quarter of the Northeast Quarter, Section 15, Township 118, Range 28. as land not evidenced as being of the United States.



this request for a declaratory judgment is made by terry halonen head elder of the Disciples Road one who is well schooled in biblical law not so well schooled in the legal arena as such with enunciation of principles stated in Haines v. Kerner, at 404 U.S. 519 wherein the court has held that regardless that a petition be deemed “in-artfully plead,” those who are unschooled in law will have the court look to the substance of the pleadings rather than in the form. Therefore this request for declaratory judgment is not required to meet the same strict standards as a licensed attorney and can only be dismissed for failure to state a claim if this petition can substantiate no set of facts in support of his claim which would entitle relief. The factual claims within this text are therefore accepted on their face as true, correct, and complete and not misleading, and are to the best of my ability the truth, the whole truth, and nothing but the truth: and said “pleadings” are thereby presented along with any reasonable inference that may be drawn therefrom. Subsequently, this petition should not be construed narrowly, but rather interpreted liberally so as to accommodate any and all such plausible implications gathered. Pursuant to the (Uniform Declaratory Judgment Act), claimant for declaratory judgment is provided under both Federal and State law. Declaratory Judgments permit parties to a controversy to determine rights, duties, and obligations or status. The operation of the Declaratory Judgment Act is procedural only. Relief under the Act is available if the requisite of jurisdiction, in the sense of a federal right (Constitutional) which provides foundation for resort to the federal courts.

### COMPLAINT

#### PARTIES

1.

a. Moving Party

Name

The Disciples Road

Street Address C/O 14263 85<sup>th</sup> street south west

County, City Wright, Cokato

State & Zip Code Minnesota 55321

**Telephone Number** 763-244-4903

2. Defendants. .

a. Defendant No. 1

Name Robert Hiivala/Wright County

Street Address 10 Second Street NW, Room 230

County, City Wright, Buffalo

State & Zip Code Minnesota, 55313

b. Defendant No. 2

Name Mark Dayton/State of Minnesota

Street Address 1006 Summit Avenue

County, City Hennepin, Saint Paul

State & Zip Code Minnesota, 55105

c. Defendant No. 3

Name Joe Haggerty/Wright County Sheriff

Street Address 3800 Braddock Avenue NE

County, City Wright, Buffalo

State & Zip Code Minnesota, 55313

### **VENUE AND JURISDICTION**

- 4) Jurisdiction is proper in this court comes under 28 U.S.C. § 1331 (federal question), and 28 U.S.C. § 2201 (Declaratory Judgment Act).
- 5) This Court has personal jurisdiction over over all defendants as they are all residents of Minnesota and United States Citizens. They all conduct business in the State of Minnesota and within this district.
- 6) Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1391(c).

Defendant's have violated moving parties right to the freedom of religion and other unalienable rights given to us by God and protected by the United States Constitution and it's Bill of Rights as found in Article one of the Bill of Rights which says:

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”

and article Four of the same Bill of Rights which says:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

And Article IX which says:

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

And Article X which says:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

Biblical laws such as **Exodus 20: 2-3.** *I am the LORD thy God, which have brought thee out of the land of Egypt, out of the house of bondage. Thou shalt have no other gods before me.*

And **Exodus 20:15-17** *15. Thou shalt not steal. 16. Thou shalt not bear false witness against thy neighbour. 17. Thou shalt not covet thy neighbour's house, thou shalt not covet thy neighbour's wife, nor his manservant, nor his maidservant, nor his ox, nor his ass, nor any thing that is thy neighbour's.*

**Deuteronomy 19:16-21** *If a false witness rise up against any man to testify against him that which is wrong; Then both the men, between whom the controversy is, shall stand before the LORD, before the priests and the judges, which shall be in those days; And the judges shall make diligent inquisition: and, behold, if the witness be a false witness, and hath testified falsely against his brother; Then shall ye do unto him, as he had thought to have done unto his brother: so shalt thou put the evil away from among you. And those which remain shall hear, and fear, and shall henceforth commit no more any such evil among you. And thine eye shall not pity; but life shall go for life, eye for eye, tooth for tooth, hand for hand, foot for foot.*

**Matthew 22:37-40** *Jesus said unto him, Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment. And the second is like unto it, Thou shalt love thy neighbour as thyself. On these two commandments hang all the law and the prophets.*

An actual case or controversy has arisen between the parties. The Disciples Road is the owner of property that the Defendants Wright County through Robert Hiivala and the State of Minnesota through its governor Mark Dayton are claiming ownership of. The third defendant Sheriff Joe Haggerty is enforcing their claims. Armed deputies have periodically stolen ministry property and make unauthorized trespasses onto the property causing a potential hazardous situation to all concerned. They also convinced the local electric company Wright Hennepin to turn off our electricity while we had a herd of cattle numbering over 20 as well as flocks of chickens and turkeys which the defendants took care of by stealing the chickens and turkeys the day after the electricity was turned off. These actions threaten injury to the Disciples Road and its members and the threat is ongoing.

#### THIS PRESENT DISPUTE

**March 20, 2009**

8) The present dispute comes about via the defendant's actions concerning the Disciples Road decision to not file for record the conveyance of land which occurred on March 20, 2009. To this day we have not found one law that would mandate recording of this conveyance although under force and duress it was eventually recorded with no difficulties. See exhibit (T)

**May 10, 2010**

9) Defendant's although given much notice went and did a tax forfeiture action against former owner Crescent Properties that they termed a "buy in." Not hard to do when you face no resistance as a former owner could care less if someone claimed ownership of property it no longer owned. We have looked diligently and have found no court records of this event in the Wright County courthouse either against Crescent Properties or the Disciples Road. See exhibit (N-N2)

**July 14, 2011**

10) An alleged "tax judgment" takes place against former owner Crescent Properties. Once again we have looked diligently and have found no court records of this event in the Wright County courthouse either against Crescent Properties or the Disciples Road.

**August 24, 2015**

Defendant's utilize the aforementioned legal maneuvers to evict peaceable members of the lawful owner the Disciples Road. See exhibit (E1)

**June 5, 2015**

11) Defendant's record with the Wright County Recorder an "AUDITORS CERTIFICATE OF FORFEITURE" which has been alleged to be a deed that conveys land but meets few if any requirements of what is required to be a valid deed. See exhibit ( F )

**March 21, 2016**

12) Claimant under force and duress records the deed from Crescent Properties to the Discples Road. When an alleged tax forfeiture takes place the signature of the county auditor must be procured, and it was under "official Signature" of defendant Hiiivala utilizing the phrase "no taxes due and transfer entered." See exhibit (T)

**March 24, 2016**

13) Defendant's utilize some internal corporate policy and put a tag on the land which says "DNCP per Robert and Brian." We think "DNCP" means do not change plate but we have been unable to find any system of law where that shows up. Defendant's keep offering the land in question on the tax forfeiture list which almost defies comprehension. This has forced the Disciples Road to seek remedy in the federal courts not as a way to contract in any way with the federal government nor are we seeking any service or benefits from them we are simply looking for a way to stop the defendant's from trampling on our God given unalienable rights protected by the Constitution for the United States and it's Bill of Rights primarily Article one, Article Four, Article Nine, and Ten and scriptural laws found in the ten Commandments.

**Complaint One:**

14) Defendant's have intruded on our God given rights to own land in Minnesota. They have acted in violation of God's laws, Constitutional laws as protected in Article One and four of The Bill of Rights, and their own statutory laws and have enforced judgments procured against a former owner and once obtained have attempted through brute force and intimidation to perpetuate great fraud upon our ministry.

**Complaint Two:**

15) Claimant knows of no law biblical or Constitutional law that would force one to record land conveyances under the abstract system of land ownership in the state of Minnesota. We challenge Defendant's to produce the law that requires 100% mandatory recording of conveyances in the state of Minnesota. Defendant's with full knowledge of the change in ownership moved on the former owner knowing it no longer owned it and procured some default actions against the former owner and has used them as the basis for their harassment of the ministry and it's members.

**Complaint Three:**

16) We demand that defendant's explain how they can on March 21, 2016 give their official signature utilizing the phrase "no taxes due and transfer entered" and then three days later on March 24, 2016 they make what appears to be some internal corporate policy decision and put a "DNCP per Robert and Brian " tag on it which we believe means "do not change plate." They seem to be somewhat irrational in that when we did not record the conveyance they moved against the former owner and when we did they ignore it. We will not try to comprehend such seemingly irrational actions.

17) The Disciples road incorporates by reference the allegations contained in paragraphs 1 through 17, inclusive

An actual, present and justiciable controversy has arisen between the Disciples Road and the defendant's. The attached Memorandum of Law and affidavit of head elder terry halonen is incorporated herein by reference and made a part hereof as if full set out word-for-word herein. WHEREFORE, the Disciples Road respectfully requests that the Court:

**Claims for Relief**

18) The Disciples Road requests that this honorable court make a legal determination that whether or not a non-owner can possible forfeit property it used to own. In other words the Disciples Road contends that the alleged "buy in" which occurred on May 10, 2010 had no real party in interest as Crescent Properties was at the time a non-owner.



19) The Disciples Road would then request the court make a declaration that this “buy in” that involved former owner Crescent Properties is a “nullity” and is “void ab initio.”

20) The Disciples Road incorporates the first two claims via reference and based on the first two claims and for the same reasons the tax judgment sale which took place on July 14, 2011 is a “void judgment” as well and make a declaration to that effect.

21) The Disciples Road incorporates the first three claims via reference and would like this honorable court to make a declaration that the Auditors Certificate of Forfeiture that was recorded on June 5, 2015 is a nullity and a “void recording” for the same reasons and cannot possibly give any ownership to defendants.

22) The Disciples Road would then request that this honorable court look at the Trustees Deed that conveyed the property in question from Crescent Properties to the Disciples Road that was recorded on March 21, 2016 and make a legal determination of what the term “No taxes due and transfer entered” means in light of defendant's laws such as Minnesota statute 272.12 and make a declaration as to what that phrase means in Minnesota statute law.

23) The Disciples Road would then request the court to make diligent inquiry of Defendant Hiivala and determine what law or what judicial ruling did he rely on to make the decision to put a “DNCP” tag on their computers three days after the land was transferred under official signature of himself using the words “no taxes due and transfer entered.” Since there was no judicial ruling for their actions the Disciples Road would move this court to remove the cloud from their title based on the “DNCP” tag and continued posting of the Disciples Road property on the tax forfeiture list and seeks permanent injunctive relief of the defendant's claim to the property.

The Disciples road incorporates by reference the allegations contained in paragraphs 1 through 24, inclusive

An actual, present and justiciable controversy has arisen between the Disciples Road and the defendant's.

The attached Memorandum of Law and affidavit of head elder is incorporated herein by

reference as well as the laws of God as found in the Authorized 1611 King James Bible and made a part hereof as if fully set out word-for-word herein.

We move the court to enter judgment according to the declaratory relief sought;

Enter such other further relief which the Court determines to be just and proper.

Dated: September 1, 2017

By: Terry Halonen

terry halonen c/o 14263 85<sup>th</sup> street south west Cokato, Minnesota 55321

**disciple67@tutanota.com** 763-244-4903

p.s. I have retained as counsel Paul John Hansen, Omaha Nebraska, [www.freeinhabitant.info](http://www.freeinhabitant.info)